

# United States Senate

WASHINGTON, DC 20510-4502

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Rural Call  
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April 25, 2013

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Chairman Genachowski:

Ensuring that all Americans have access to high-quality, reliable communications services is critically important. Regardless of whether consumers live in an urban area like Washington, D.C., or a rural area like Washington, Vermont, they should all be able to confidently rely on their telephone service. Unfortunately, as the Commission is all too aware, rural consumers in Vermont and elsewhere have been experiencing problems with their telephone service. These problems have persisted for too long and must be corrected.

The Commission has taken a number of steps over the past few years to address this issue, and I commend you for taking action. I was particularly encouraged to hear that the Commission successfully concluded an enforcement action against a company that was violating its rules in this area. As a former prosecutor, I know that enforcing the law is one of the best tools available to deter future violations. Recently, however, I have heard from constituents in Vermont that there has been an increase in call completion problems.

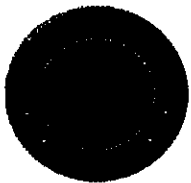
Call completion problems harm Vermont businesses, and, generally, the quality of life of all rural Americans. They also harm rural telephone companies, which are often erroneously blamed by consumers for these problems. I once again urge the Commission to act swiftly against any company found to be violating the rules. If I can assist in any way to help bring an end this problem, please do not hesitate to let me know.

Sincerely,

  
PATRICK LEAHY  
United States Senator

*a matter of real concern.*

cc: Commissioner Robert McDowell  
Commissioner Mignon Clyburn  
Commissioner Jessica Rosenworcel  
Commissioner Ajit Pai



FEDERAL COMMUNICATIONS COMMISSION

August 1, 2013

Mignon L. Clyburn  
Acting Chairwoman

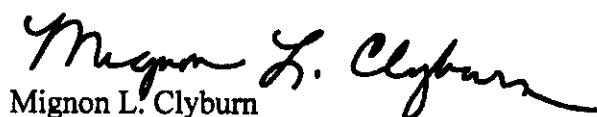
The Honorable Patrick Leahy  
United States Senate  
433 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Leahy:

Thank you for your letter regarding call completion and service quality in rural areas. I take rural call completion concerns very seriously and the Commission is committed to ensuring reliable telephone service for consumers and businesses in rural America. To that end, we have been tackling these issues on multiple fronts as described further in the enclosed letter on this issue from the Chief of the FCC's Wireline Competition Bureau. I am also enclosing a recent enforcement advisory designed to remind providers of long distance services of their obligations when served by the Commission with an informal complaint about rural call completion.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

  
Mignon L. Clyburn

Enclosures



Federal Communications Commission  
Washington, D.C. 20554

August 1, 2013

CN: 1300470

The Honorable Patrick Leahy  
United States Senate  
433 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Leahy:

Thank you for your letter regarding the problems of call completion and service quality in rural areas of Vermont. The consequences of these problems can be dire, impacting businesses, families and public safety, and the Commission is committed to ensuring reliable telephone service in rural America.

The Commission has been attacking this problem on multiple fronts: investigating systemic problems with originating long distance providers, pointedly reminding long distance providers of their current obligations, proposing new Commission rules to address rural call completion problems, and acting daily on specific consumer and rural carrier complaints. These efforts are coordinated by an inter-bureau Rural Call Completion Task Force.

As you are aware, earlier this year the Commission's Enforcement Bureau entered into a consent decree with long distance provider Level 3. Under the consent decree, Level 3 has committed to meeting certain benchmarks for completing calls to rural areas and is making a significant voluntary contribution to the U.S. Treasury. The Enforcement Bureau continues to investigate the call completion practices of voice communications providers.

In February 2012, the Wireline Competition Bureau issued a Declaratory Ruling reminding carriers of the Commission's longstanding prohibition on blocking, reducing or otherwise restricting traffic. The Declaratory Ruling alerted originating carriers of their responsibilities and potential liability if they engage in – or use underlying providers that engage in – practices prohibited by the Communications Act or Commission rules.

In February of this year, the Commission proposed new rules to improve its ability to monitor the delivery of long-distance calls to rural areas. The proposed rules include data retention and call completion performance reporting requirements, which would help ensure that customers in rural Vermont receive reliable telephone service, as well as assist the Commission with its enforcement efforts. We are in receipt of comments submitted by the Joint State Commissions and the National Association of Regulatory Utility Commissioners, both of which include the Vermont Public Service Board, and the National Association of State Utility

Advocates, which includes the Vermont Department of Public Service. The comment period for this rulemaking closed on June 11, 2013, and Commission staff are analyzing the record concerning the Commission's proposed rules. The Notice of Proposed Rulemaking is available at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/FCC-13-18A1.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/FCC-13-18A1.pdf).

We do receive a small number of complaints from consumers and businesses in Vermont regarding calls not reaching them. Such complaints are reviewed immediately by members of the Task Force, and are acted on promptly by the Commission's Consumer and Governmental Affairs Bureau and, where necessary, the Enforcement Bureau. When we receive these complaints we often contact the complainant by telephone to verify and supplement the details as may be necessary before serving the originating provider.

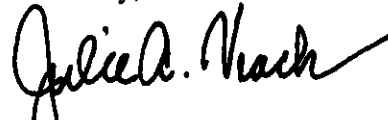
The originating carrier will often make changes to resolve the immediate problem that a customer has been experiencing, and the record of carrier responses informs our broader investigations. While most originating carriers now provide constructive responses when we serve them, a few have not given the matter the full attention we expect, typically because the complainant is not its customer. Consequently, on July 19 the Enforcement Bureau issued an advisory informing carriers that the Bureau may take enforcement action against providers that submit deficient responses to these complaints. This enforcement advisory can be found at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2013/db0722/DA-13-1605A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0722/DA-13-1605A1.pdf).

We invite your constituents to continue to file complaints with the Commission, which will afford them an opportunity to provide further details, such as caller's phone number and date and time of call attempts, which the Commission uses to pursue this matter further. The FCC has a web-based complaint intake that focuses on rural call completion problems, instructs consumers and businesses on how to file complaints with the Commission, and provides links to the relevant complaint form. This avenue for complaints can be found at <http://www.fcc.gov/encyclopedia/problems-long-distance-or-wireless-calling-rural-areas>.

Rural Local Exchange Carriers (LEC) also can contact the Task Force using a dedicated email address that has been provided them through their associations. Indeed, Vermont Tel was the very first Rural LEC to take advantage of this.

If you need anything further, please do not hesitate to contact me at 202-418-1500.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie A. Veach", with a stylized flourish at the end.

Julie A. Veach  
Chief,  
Wireline Competition Bureau